

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Director of the U.S. Patent & Trademark Office, Washington, DC 20231 on the date indicated below.



*Christine Kierzek*  
Christine Kierzek

Date: 10/11/01

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventors: John M. Lipscomb et al

Serial No. 09/871,851

Filed: June 1, 2001

Assignee: G.H.L. International, Inc.

For: ***CAT LITTER SCOOP HOLDER AND SCOOP***

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

Director of the U.S. Patent  
and Trademark Office  
Box Missing Parts  
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Application, Filing Date Granted,  
mailed July 30, 2001 in the above-captioned application, applicant submits the following:

- 1) Notice to File Missing Parts of Application;
- 2) A Fee Transmittal Form PTO/SB/17 (12/99);
- 3) A check in the amount of \$105.00 which includes \$65.00 for payment of the government fee for late filing of applicants' Declaration and Power of Attorney and \$40.00 for the Recordation fee for recording the assignment.
- 4) Executed 2-page Declaration;
- 5) Formal Drawings (14 Sheets); and
- 6) Executed Assignment document, and Recordation Form Cover Sheet.

The Director is hereby authorized to charge payment of any additional fees associated with this or any other communication or credit any overpayment to Deposit Account No. 50-1170.

Respectfully submitted,



David D. Stein  
Registration No. 40,828

Dated: October 1, 2001

BOYLE, FREDRICKSON, NEWHOLM,  
STEIN & GRATZ, S.C.  
250 Plaza, Suite 1030  
250 East Wisconsin Avenue  
Milwaukee, WI 53202  
Telephone: (414) 225-9755  
Facsimile: (414) 225-9753  
Docket No.: 91.001

09/871,851 - 100401

#3



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/871,851	06/01/2001	John M. Lipscomb	91.001

CONFIRMATION NO. 1434

23598  
BOYLE FREDRICKSON NEWHOLM STEIN & GRATZ, S.C.  
250 E. WISCONSIN AVENUE  
SUITE 1030  
MILWAUKEE, WI 53202

## FORMALITIES LETTER



\*OC000000006361635\*



Date Mailed: 07/30/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

10/05/2001 SDENBDB1 00000040 09871851

01 FC:205

65.00 OP

*A copy of this notice **MUST** be returned with the reply.*

09871851-0040

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

09871851-100401

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL  
for FY 2000**

Patent fees are subject to annual revision,  
Small Entity payments must be supported by a small entity statement,  
otherwise large entity fees must be paid. See Forms PTO/SB/09-12.  
See 37 C.F.R. §§ 1.27 AND 1.28

TOTAL AMOUNT OF PAYMENT **\$105.00****Complete if Known**

Application Number 09/871,851  
Filing Date 06/01/2001  
First Named Inventor John M. Lipscomb et al  
Examiner Name  
Group/Art Unit 3652  
Attorney Docket No. 91.001

**METHOD OF PAYMENT (check one)**

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **50-1170**Deposit Account Name **BOYLE, FREDRICKSON,  
NEWHOLM, STEIN & GRATZ S.C.**☒ Charge Any Additional Fee Required  
Under 37 CFR §§ 1.16 and 1.17

2. Payment Enclosed:

☒ Check ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1)

**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from Below	Fee Paid
-20**=	0	0	0
-3**=	0	0	0
Multiple Dependent			0

\*\*or number previously paid, if greater; For Reissues, see below

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
103	18	203	9	Claims in excess of 20	
102	80	202	40	Independent claims in excess of 3	
104	270	204	135	Multiple dependent claim, if not paid	
109	80	209	40	**Reissue independent claims over original patent	
110	18	210	9	**Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2)

\$

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	65.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	40.00
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
Other fee (specify) _____					
Other fee (specify) _____					

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

**\$105.00****SUBMITTED BY**Name (Print/Type) **David D. Stein**Signature *David D. Stein*Registration No.  
(Attorney/Agent)

40,828

Complete (if applicable)

Telephone

(414) 225-9755

Date

OCTOBER 1, 2001

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231.  
DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant commissioner for Patents, Washington, DC 20231.  
(00010488.DOC /)



Sector

Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paper Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/871,851
Filing Date	06/01/2001
First Named Inventor	John M. Lipscomb et al
Group Art Unit	3652
Examiner Name	Not Yet Assigned
Attorney Docket Number	91.001

Total Number of Pages in This Submission

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input checked="" type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input checked="" type="checkbox"/> Drawing(s) - 14 Sheets	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Return Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	Declaration and Power of Attorney
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s)	
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	David D. Stein, Reg. No. 40,828 Boyle Fredrickson Newholm Stein & Gratz, S.C. 250 East Wisconsin Avenue, Suite 1030 Milwaukee, WI 53202
Signature	<i>David D. Stein</i>
Date	OCTOBER 1, 2001

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date: 10/1/01			
Type or printed name	Christine Kierzek		
Signature	<i>Christine Kierzek</i>	Date	10/1/01

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



PATENT #3

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of:	)	<u>Certificate of Mailing</u>
	)	
JOHN M. LIPSCOMP	)	I hereby certify that this correspondence
	)	is being deposited with the United
Serial No.: 09/871,851	)	States Postal Services as first class
	)	mail in an envelope addressed to:
Filed: June 1, 2001	)	Assistant Commissioner for Patents
	)	and Trademarks, Washington, D.C.
Examiner:	)	20231 on <u>10/11</u> , 2001.
	)	
Art Unit: 3652	)	<u>Christine Kierzek</u>
	)	Name
CAT LITTER SCOOP HOLDER AND	)	<u>Christine Kierzek</u> <u>10/11/01</u>
SCOOP	)	Signature Date

**SUBMISSION OF FORMAL DRAWINGS**

ATTN: OFFICIAL DRAFTSMAN  
Assistant Commissioner for Patents  
Box Missing Parts - Drawings  
Washington, D.C. 20231

Sir:

Enclosed please find fourteen (14) sheets of formal drawings for the above-identified patent application.

Respectfully submitted,

Boyle Fredrickson Newholm Stein & Gratz, S.C.

David D. Stein, Reg. No. 40,828

250 East Wisconsin Avenue, Suite 1030  
Milwaukee, Wisconsin 53202  
(414) 225-9755  
Atty. Docket No.: 91.001